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FILED
CLERKS OFFICE

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U.S. DISTRICT COURT
DISTRICT OF MASS

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January 14, 2005

United States District Court
District of Massachusetts
Civil Clerk's Office
One Courthouse Way, Suite 2300
Boston, MA 02210

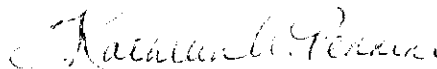
RE: Rodney G. Smith, Executive Director of the Teamsters Union 25 Health Services and Insurance Plan v. Anthony Scibilio
C.A. No. 04-11560-WGY

Dear Sir/Madam:

I recently received notification that this case had been dismissed for failure to serve and file a summons within the time period prescribed by Rule 4(m) of the Federal Rules of Civil Procedure. However, a summons was served upon the Defendant and was returned to the court on or about August 3, 2004. As such, please have this case re-activated.

At this time, though the Defendant has not yet served an answer, the Plaintiff has not moved forward with an entry for default, as the *pro se* Defendant has requested an extension of time to either file his answer or to remit the requested relief to the Plaintiff.

Very truly yours,



Kathleen A. Pennini

/kap